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Filing date: **05/01/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|---------------------------|---|
| Proceeding | 91199752 |
| Party | Defendant Afgritech Ltd. |
| Correspondence Address | THOMAS H VAN HOOZER HOVEY WILLIAMS LLP 10801 MASTIN BLVD , SUITE 1000 KANSAS CITY, MO 66210 UNITED STATES tvh@hoveywilliams.com, clb@hoveywilliams.com, litigation@hoveywilliams.com |
| Submission | Opposition/Response to Motion |
| Filer's Name | Thomas H. Van Hoozer |
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| Signature | /Thomas H. Van Hoozer/ |
| Date | 05/01/2012 |
| Attachments | Response to Motion for Leave to Amend.pdf (2 pages)(36541 bytes) |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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|---------------------|---|-------------------------------------|
| Evonik Degussa GmbH |) | |
| Opposer, |) | |
| |) | Opposition No. 91/199,752 |
| v. |) | |
| |) | Re: Application Ser. No. 85/096,047 |
| Afgritech Ltd. |) | |
| Applicant. |) | |

**RESPONSE TO EVONIK DEGUSSA GMBH'S 'S MOTION FOR LEAVE TO AMEND
AND SUPPORTING MEMORANDUM**

Respondent does not object to *Evonik Degussa GMBH's 'S Motion for Leave to Amend and Supporting Memorandum*. Respondent reserves the right, however, to supplement its initial disclosures, discovery responses as necessary, and to discover information about the factual allegations contained therein and does not waive its right to dispute those allegations.

Respectfully submitted,

/s/Thomas H. Van Hoozer

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Attorneys for Applicant Afgritech Ltd.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Response to Evonik Degussa GmbH's 'S Motion for Leave to Amend and Supporting Memorandum* was mailed by first class mail, postage prepaid, addressed to Scott D. Woldow, Attorney for Opposer, 1130 Connecticut Avenue, N.W., Suite 1130, Washington, DC 20036 this 1st day of May 2012.

/s/Thomas H. Van Hoozer
Thomas H. Van Hoozer